

REMARKS

Reconsideration and allowance of the claims are requested in view of the above amendments and the following remarks. In the instant amendment, Claims 1, 18, 27, 33 and 37 are amended. Claim 4 has been cancelled without disclaimer or prejudice. No new matter has been added.

In the Office Action, claims 1-11, 14-24 and 27-36 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,015,954 to Foote *et al.* (hereinafter "Foote"). Claims 12-13 and 25-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Foote in view of U.S. Patent No. 4,396,945 to DiMatteo (hereinafter "DiMatteo"). Applicants traverse all of the rejections in the Office Action.

I. Novelty Rejection Over Foote

Applicants submit that Foote fails to anticipate amended claim 1 because Foote fails to teach each and every element of the claim. See MPEP § 2131 ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

First, Applicants submit that Foote fails to teach or suggest that, "the scene is within a field of view of each image capturing device," as recited by claim 1. The Office cites Figure 1A and col. 5, ll. 51-53 and 57-61 of Foote as teaching this feature. Applicants disagree. The embodiment of Foote depicted at Figure 1A and described at column 5 shows multiple video cameras 10 directed outwards from a radial axis. See Foot at Figure 1A. While the fields of view of individual video cameras 10 may overlap, there is no point that falls within the field of view of each

video camera 10 of Foote. Accordingly, Foote has no "scene" that is "within a field of view of each image capturing device," as recited by claim 1.

Second, Applicants submit that Foote fails to teach or suggest, "a plurality of non-moving image capturing devices positioned to substantially surround the scene," as recited by claim 1. The embodiment of Foote shown in Figure 1A fails to meet this feature. As shown in Figure 1A, all of the video cameras 10 of Foote are positioned secured to a single, rigid substrate 20. Instead of "substantially surrounding" a scene, the video cameras 10 of Foote look out at the scene from a single, central location. Foote does describe other camera configurations such as, for example, the array configurations shown in Figures 1B and 1C. In all of Foote's configurations, however, the video cameras 10, 12, 14 are located at a single position, making it impossible for them to substantially surround a scene.

Third, Applicants submit that Foote fails to teach or suggest that, "an order of images in the sequence of image frames corresponds to a spatial order of the image capturing devices around the scene," as recited by claim 1. The Office cites the composite image of Foote as meeting this element. As established above, Foote fails to teach image capturing devices "around" the scene, as claimed. Instead, Foote's image capturing devices are centrally located, as described above. Therefore, the video cameras 10, 12, 14 of Foote do not have a "spatial order . . . around the scene."

For at least the reasons given above, Applicants submit that Foote fails to anticipate claim 1 as well as claims 2-3 and 5-17 that depend therefrom. Further, Applicants submit that independent claims 18, 27, 33 and 37 include limitations

similar to those of amended claim 1. Therefore, Foote also fails to anticipate these claims as well as claims 19-26, 28-32, 34-37 and 38-42 that depend therefrom.

II. Reservation of Arguments

Applicants are not otherwise conceding, however, the correctness of the Office's rejections with respect to any other claims and hereby reserve the right to make additional arguments as may be necessary because the independent and dependent claims include additional features that further distinguish the claims from the cited references, taken alone or in combination. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences pointed out above.

CONCLUSION

Applicants believe that they have fully addressed the rejections of the Office Action. Reconsideration of the claims of the subject application and issuance of a Notice of Allowance is respectfully requested. Should the Examiner have any remaining concerns, he is requested to contact the undersigned at the telephone number below so that those concerns may be addressed without the necessity for issuing an additional Office Action. Please charge any additional fees necessary for consideration of this Amendment and Response to Office Action to charge account number 11-1110.

Date: 5/17/10

Respectfully submitted,


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